

IN THE CLAIMS:

Please **AMEND** the claims as follows:

Sub 1
E1
2. (ONCE AMENDED) A method of transferring information associated with playback of a recording at a first device [connected] connectable to a second device via a network, comprising:

collecting use data associated with the recording regardless of whether the first and second devices are connected;

establishing a connection between the first and second devices after the recording has been obtained; and

transferring the use data from the first device to the second device via the network when the first and second devices are connected, including all of the use data collected while the first and second devices were not connected.

Sub 2
E2
32. (ONCE AMENDED) A method [as recited in claim 2, wherein the] of transferring information associated with playback of a recording [contains] containing segments[, wherein said method further comprises] at a first device connectable to a second device via a network, comprising:

identifying at least one segment of the recording;

collecting use data associated with the recording, [and wherein] the use data [include] including segment data identifying the at least one segment played at the first device;
and

transferring the use data from the first device to the second device via the network.

Sub 3
E3
31. (ONCE AMENDED) A method as recited in claim 2, wherein the recording is a [computer] digital file containing digitized audio signals.

32. (ONCE AMENDED) A method as recited in claim 31, wherein the [computer] digital file contains audio data compressed using MPEG encoding.

Sub C5
41. (ONCE AMENDED) A system for obtaining information based on playback of at least one recording at a first device connected to a second device via a network, comprising:
collecting means for collecting use data related to at least one of a portion of the recording and playtime of the recording regardless of whether the first and second devices are connected;
establishing means for establishing a connection between the first and second devices after the recording has been obtained;
sending means for sending the use data from the first device to the second device via the network; and
10 storing means for storing the use data at the second device.

Sub D4
E6
43. (ONCE AMENDED) A computer-readable storage storing instructions to control a processor to perform a process comprising:
collecting use data associated with playback of a recording, fixed in a medium owned by a user, at a first device; and
5 transferring the use data from the first device to a second device connected to the first device via a network.

Sub C4
E9
62. (ONCE AMENDED) A system for transferring information associated with playback of a recording, comprising:
a first device to reproduce a recording fixed in a medium owned by a user, and
to collect use data associated with the recording;
5 a second device to store the use data; and
a network coupled to said first and second devices to transfer the use data from said first device to said second device.

Please ADD the following new claims:

71. (NEW) A system as recited in claim 62, wherein said first and said second devices are not always connected via said network and said first device stores the use data when not

connected to said second device and transmits the use data to said second device after a connection is established.

72. (NEW) A system as recited in claim 62, wherein said first device automatically generates a recording identifier from information included in the recording and sends the recording identifier to said second device with the use data.

73. (NEW) A system as recited in claim 72, wherein the recording includes at least two segments and said first device generates the recording identifier based on length of the segments.

74. (NEW) A computer-readable storage as recited in claim 43, wherein said process further comprises:

automatically generating a recording identifier from information included in the recording; and

sending the recording identifier with the use data from the first device to the second device.

75. (NEW) A computer-readable storage as recited in claim 74,
wherein the recording includes at least two segments, and
wherein said generating generates the recording identifier based on length of the segments.

76. (NEW) A computer-readable storage as recited in claim 43,
wherein said collecting is performed regardless of whether the first and second devices are connected,
wherein said process further includes establishing a connection between the first
5 and second devices, and

wherein said transferring transfers all of the use data collected while the first and second devices were not connected, from the first device to the second device via the network after the first and second devices are connected.

Sub C8 77. (NEW) A method as recited in claim 2, wherein the recording is fixed in a medium owned by a user of the first device.

78. (NEW) A method as recited in claim 2, further comprising:
automatically generating a recording identifier from information included in the recording; and
sending the recording identifier with the use data from the first device to the second device.

79. (NEW) A method as recited in claim 78,
wherein the recording includes at least two segments, and
wherein said generating generates the recording identifier based on length of the segments.

80. (NEW) A method as recited in claim 22, further comprising:
automatically generating a recording identifier from the segment data; and
sending the recording identifier with the use data from the first device to the second device.

Sub D6 81. (NEW) A computer-readable storage as recited in claim 22,
wherein said collecting is performed regardless of whether the first and second devices are connected,
wherein said process further includes establishing a connection between the first and second devices, and

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wherein said transferring transfers all of the use data collected while the first and second devices were not connected, from the first device to the second device via the network after the first and second devices are connected.

82. (NEW) A method as recited in claim 22, wherein the recording is fixed in a medium owned by a user of the first device.

REMARKS

In the December 13, 1999 Office Action, the Examiner noted that claims 2-70 were pending in the application; rejected claims 2-6, 16-19, 22, 27, 28, 31, 32, 35-38, 41, 43-47, 54-57, 62, 63 and 65-70 under 35 U.S.C. § 102(e); and rejected claims 7-15, 20, 21, 23-26, 29, 30, 39, 40, 42, 48-53, 58-61 and 64 under 35 U.S.C. § 103. In rejecting the claims, U.S. Patents 5,963,916 to Kaplan and 5,710,884 to Dedrick (References A and C, respectively) were cited. Claims 71-82 have been added and thus, claims 2-82 remain in the case. The Examiner's rejections are traversed below.

The Invention

The present invention is directed to a method and system for collecting information regarding operations performed by a user of a local device while a recording is played from a medium owned by the user. An identifier for the recording is either read or generated, e.g., based on the length of tracks (segments) read from the table of contents (TOC) of a compact disc, so that the information that is collected can be identified. The information that is collected may include length of time that the recording is played and, in the case of a recording on a compact disc, which tracks were played and how many times. In addition to this sort of "use" data, when the device used to play back the recording is capable of performing other functions, such as a computer, the other operations that are performed or other applications loaded on the computer, may also be detected. All of this information is sent from the device used to play back the recording to a remote device where a database is maintained for monitoring information on a number of users. Preferably, the collected information is temporarily stored, i.e.,